Jim Doyle
Governor

Helene Nelson
Secretary

State of Wisconsin

Department of Health and Family Services

November 8, 2005

To: Agencies Subject to the Uniform Fee System:
          Department of Health and Family Services
          Department of Corrections
          Department of Workforce Development (Div. Of Vocational Rehabilitation)
          County Child Support Agencies
          County Social Services Departments and Contract providers
          County Human Services Departments and contract providers
          County Departments of Community Programs and contract providers
          County Departments of Developmental Disability Services & contract providers

From: David Demaske
          Bureau of Fiscal Services

Re: Updated Monthly Schedules for Persons Who do Payment Level Determinations

I am sending you two payment schedule updates for Calendar year 2006:

      A. Maximum Monthly Payment Schedule
      B. Maximum Monthly Support for Court-Ordered Substitute Care.

<u>County agency directors should assure that these schedules are distributed to persons who make ability to pay determinations and support recommendations.</u>

A. Maximum Monthly Payment Schedule.   Agencies should use this schedule for all new and updated payment determinations for services provided or purchased by county social and human services departments, county departments under ss. 51.42 and 51.437 of the Wis. Statutes and the Department of Health and Family Services.

HFS 1 permits agencies to use minimum charges up to $25 per month or 3% of family income. A sample 3% minimum charge schedule will be sent to agencies upon request.

If the Department has directed or permitted the use of other schedules or formulas, those other schedules or formulas should be used. Some examples of these other formulas and schedules include formulas for clients living in residential medical and non-medical facilities, the Community Options Cost Sharing Plan, the Family Support Program, and the Revised Birth to 3 Program Parental Cost Share System.

B. Maximum Monthly Support for Court-Ordered Substitute Care.

HFS 1.07 (7) (c), requires county child support agencies and social/human services agencies to use this schedule as a means to prevent family impoverishment when a child is placed in court-ordered substitute care.

<u>NOTE</u>: When child support agencies request that a court establish support under Chapter 767, the agencies should use the provisions of Chapter 767 and DWD 40. If the court is setting support under Chapters 48 or 938, the agencies should use the provisions of HFS 1.

When a child is placed into court-ordered substitute care under ss. 48.355, 48.357, 938.183(2), 938.355 or 938.357, the parental support order for the child should be the lesser of the following unless modified by the court:

1. The percentage of income standard as modified by HFS 1.07 (6),

2. The dollar amount of adoption assistance for maintenance when there is an agreement under s. 48.975 (4), unless the court finds such a limit unfair to the child or a parent,

or

3. The amount in the attached schedule relating to court-ordered substitute care.

Agencies which make support recommendations to the court for children in substitute care are also required to consider factors that could modify the amount ordered. These factors are listed in s.46.10 (c) of the Statutes and HFS 1.07 (8).

If you have questions on these schedules, I can be reached at (608) 261-4946 or Fax (608) 264-9874 or demasdj@dhfs.state.wi.us. Any other legal or technical questions should be referred to your own county corporation counsel.

You may now find Uniform Fee information on the DHFS Website:
http://dhfs.wisconsin.gov/bfs/uniformfee/index.htm
Click on Partners and Providers
Click on Provider Information
Click on Uniform Fee System

cc.   County Clerks of Court
        Department of Workforce Development, Bureau of Child Support